

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kevin L. Parsons) Group Art Unit: 2875
Serial No: 10/616,441) Examiner: John A. Ward
Filed: 07/09/2003) Attorney Docket No: 8342-89538
For: LED FLASHLIGHT WITH) Conf. No. 9148
TRANSLUCENT PANEL)
(AS AMENDED))

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-0001

Sir:

This is in response to the Notice of Non-Compliant Amendment (copy enclosed) mailed for this application on March 10, 2005. The Notice of Non-Compliant Amendment states that "a complete listing of all the claims is not present." Applicant encloses herewith a corrected claims section of the Amendment initially filed on February 28, 2005 as required by 37 CFR 1.121.

Applicant believes that no additional fee is due. The Commissioner is hereby authorized to charge any unpaid amount, or credit any overpayment, to Deposit Account No. 23-0920. Further, if an extension of time is required, the Commissioner is respectfully requested to consider this paper to be a petition for such an extension and the Commissioner is authorized to charge the petition fee to the above noted deposit account. A duplicate copy of this sheet is enclosed.

Dated: March 17, 2005

Respectfully submitted,

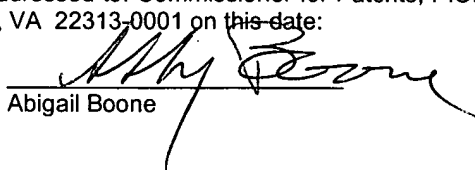
WELSH & KATZ, LTD.

By: 

Daniel M. Gurfinkel
Registration No. 34,177

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents; P.O. Box 1450, Alexandria, VA 22313-0001 on this date:

03/17/2005
Date


Abigail Boone

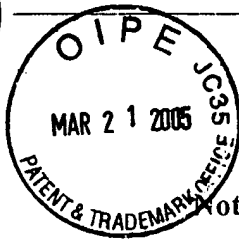


UNITED STATES PATENT AND TRADEMARK OFFICE

10/616441

COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 145
ALEXANDRIA, VA 22313-145
WWW.USPTO.GOV

Paper No.



Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 2-28-05 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see *68 Fed. Reg. 38611*, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

Krina Steptoe
Legal Instruments Examiner (LIE)

272/571-1627
Telephone No.